

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 88-475-A
SWS Charlesbrooke Road, 262' W Erwood Court
(109 Charlesbrooke Road)
5th Election District - 4th Councilmanic District
Petitioner(s): Alice W. Muth
HEARING SCHEDULED: FRIDAY, APRIL 29, 1988 at 9:00 a.m.

Variance to allow an open deck to project more than the permitted 25% of the required rear yard setback; a rear setback of 15 feet in lieu of the required 22.5 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Alice W. Muth
File

To: Zoning Commissioner

From: Alice W. Muth

Subject: Petition for Zoning Variance, 3/3/88
for 109 Charlesbrooke Road

Attached are the letters I sent to my immediate neighbors along with copies of the property plat ten of which are presented with this petition.

Letters went to all three couples, but upon my return from a two-week trip I found that one had been put in my doorway and had somehow disappeared. That letter was just like the others and as a substitute for it, Mrs. Murphy wrote in a note what she said she had written originally.

It seems appropriate to add the following information:

Along the property line between my back yard and the back yard of Lot 17 (and entirely within Lot 17) is a low stone wall and immediately back of it is a row of pine trees at least seven feet tall. The wall and the trees run the full length of my back yard and the trees completely block the view from one yard to another.

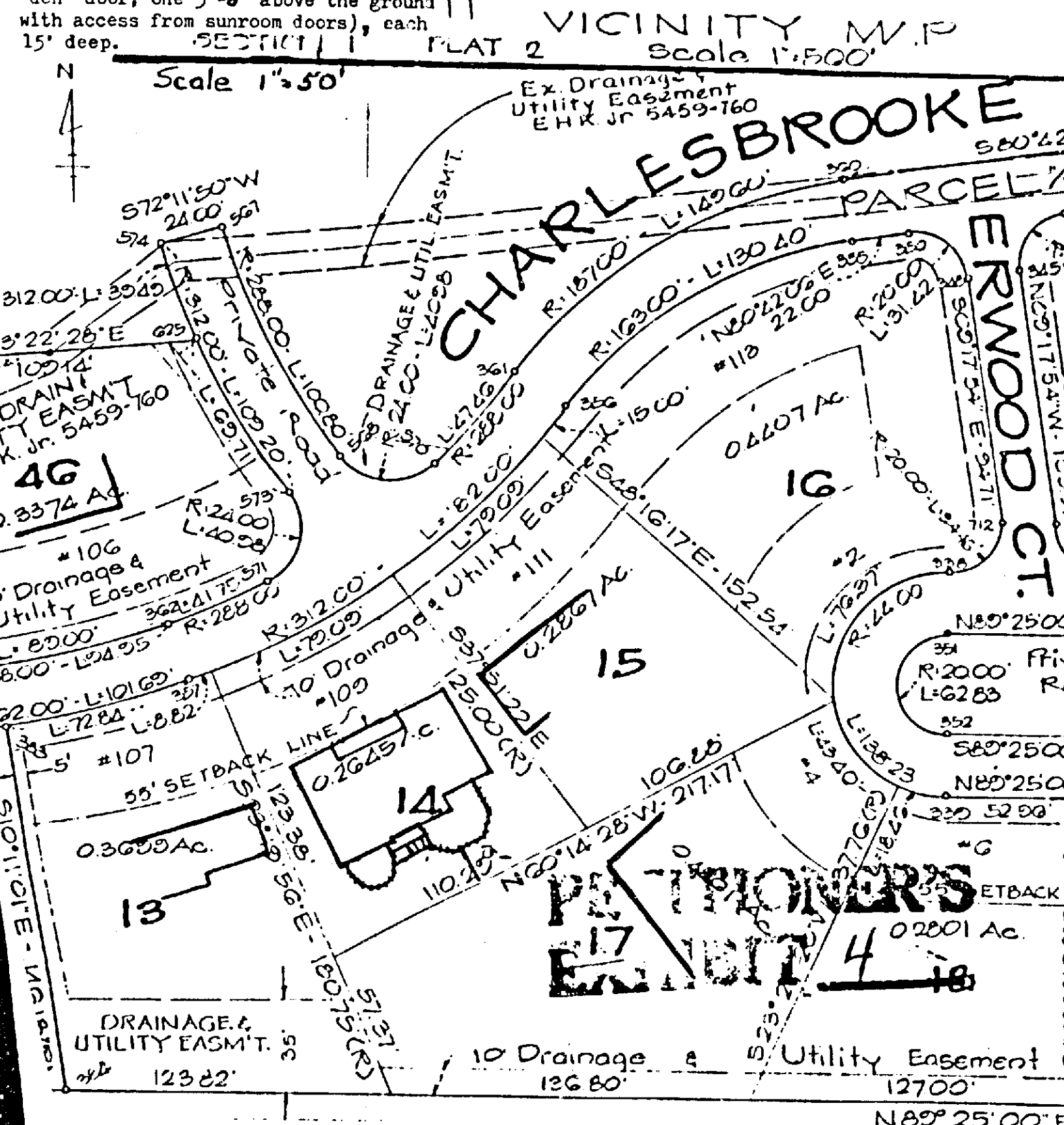
I would have discussed this petition and its contents with the people across the street on Lot 46, but its owner died about a year ago and as far as I know the estate has yet to be settled and the house has yet to be newly occupied. Additionally, its residents would find it impossible to see the decks in question without making a special effort to do so.

PETITIONER'S
EXHIBIT 2

4 pages

Plat for Zoning Variance

Owner: Alice W. Muth
District 9, Zoned DR 3.5
Subdivision: Charlesbrooke
Lot 14 on the Plat of "Section 1, Plat 2, Charlesbrooke at Pinehurst" in Baltimore County Plat Records, Plat Book No. 38, Folio 14, improvements thereon being known as 109 Charlesbrooke Road (a private road) Lot on S/E side of Road, 110.29' wide in the rear, 79.09' across the front, 124' deep in the center, a total of .2615 acres.
Located about 975' from the nearest public road (Beltona Ave. to the east, about 1200' from Charles St. to the west and about 225' from Midhurst Rd. to the south; Meymouth Rd. also in the Charlesbrooke community, is the only intersecting road. Improvements on Lot 14 consist of one house, a two-car garage with enclosed 2-car garage only, behind it on the S/E corner, an enclosed sunroom with an exercise pool. Variance is sought for two back yard decks (one at 1st floor level with access from the "den" door, one 5'-8" above the ground with access from sunroom doors), each 15' deep.



LOT 15

109 Charlesbrooke Road
Baltimore, Maryland 21212
February 15, 1988

Dear Aileen and John -

After all these months I am finally getting to the job of asking for a zoning variance so that I can have two decks in the back yard rather than two patios.

The enclosure shows the lots of this house and its immediate neighbors, an outline of this house, an indication of the deck plans and fairly reliable renditions of the positions of my neighbors' houses relative to mine.

As you may remember, my original intent was to have a deck off the den (with access to the house on a level with the den doorway) and a patio off the "pool room." Investigation made it evident that a low deck (5" to 6" above the ground) would not only be appreciably cheaper than a patio, it would be preferable; entering the pool room from the yard, or vice versa, is now like stepping over a low fence and a patio would not change that but a deck could be placed so that the pool room was a low step down from the yard.

When all of the planned planting is in place it should be difficult, if not impossible, for you even to see the deck from your property except from your second-floor windows, but I do not want to install anything my neighbors are apprehensive about. Will you therefore talk it over and let me know in a note at the bottom of this letter what your opinions are? You can then either put it in the mail or put it in my front doorway between the storm and rain doors.

I'd very much appreciate your doing that by March 1. I get home that night from a two-week stay on a little island 90 miles north of Haiti (where a friend has a house) and two days later I am scheduled to take all appropriate materials to the zoning office.

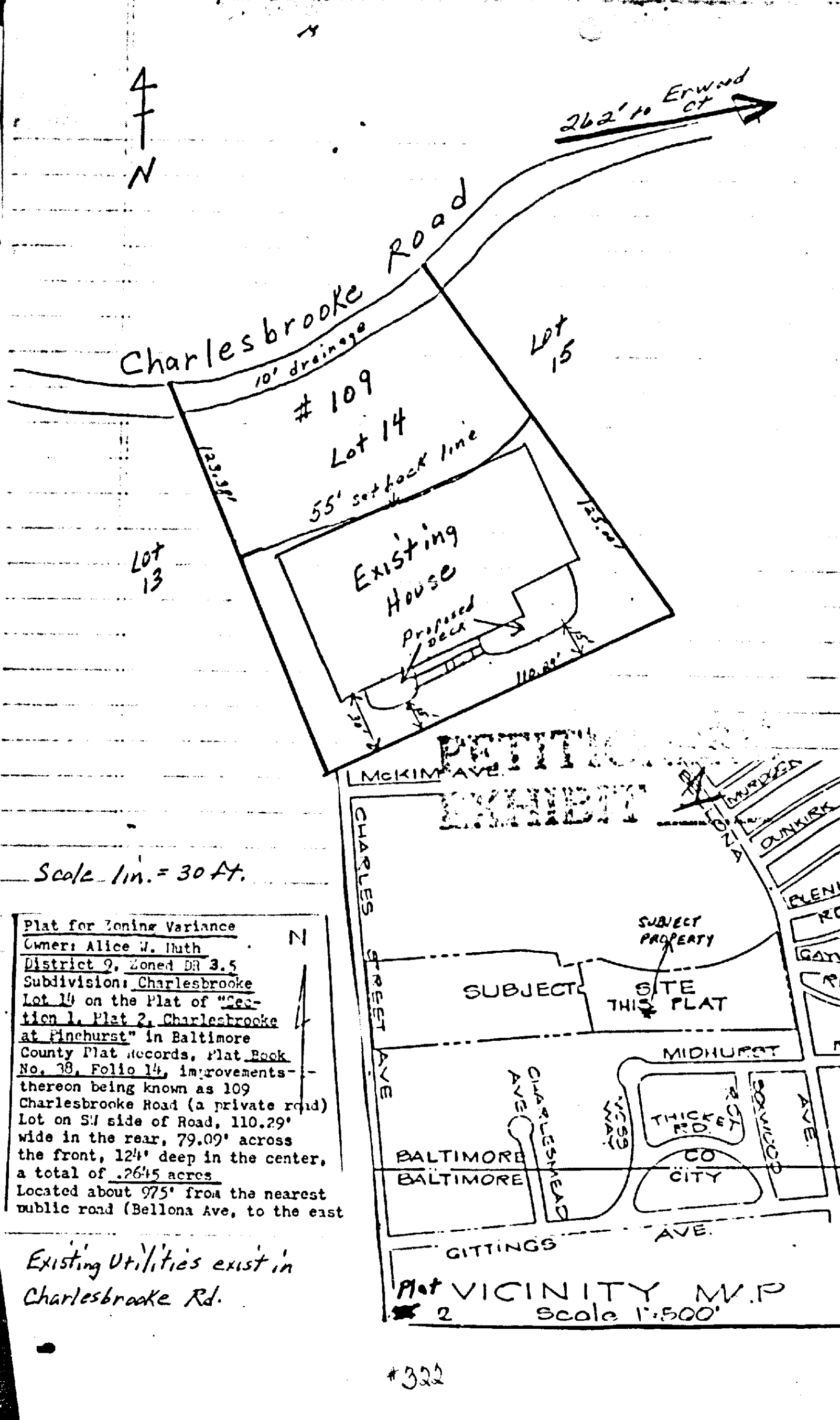
If you would like to see the landscape architect's plans, plants and all, and withhold judgment until then, please feel free to say so. I'll bring them around on March 2.

The Murphys and the Mazzullis will be receiving an identical letter except for this sentence.

Thank you for your time and trouble!

With best regards -

2/17/88
Alice
Aileen & John
no objections to
have for my own trip.



LOT 17

109 Charlesbrooke Road
Baltimore, Maryland 21212
February 15, 1988

Dear Mr. and Mrs. Mazzulli -

After all these months I am finally getting to the job of asking for a zoning variance so that I can have two decks in the back yard rather than two patios.

The enclosure shows the lots of this house and its immediate neighbors, an outline of this house, an indication of the deck plans and fairly reliable renditions of the positions of my neighbors' houses relative to mine.

As you may remember, my original intent was to have a deck off the den (with access to the house on a level with the den doorway) and a patio off the "pool room." Investigation made it evident that a low deck (5" to 6" above the ground) would not only be appreciably cheaper than a patio, it would be preferable; entering the pool room from the yard, or vice versa, is now like stepping over a low fence and a patio would not change that but a deck could be placed so that the pool room was a low step down from the yard.

When all of the planned planting is in place, it should be difficult, if not impossible, for you even to see the deck from your property except from your second-floor windows, but I do not want to install anything my neighbors are apprehensive about. Will you therefore talk it over and let me know in a note at the bottom of this letter what your opinions are? You can then either put it in the mail or put it in my front doorway between the storm and rain doors.

I'd very much appreciate your doing that by March 1. I get home that night from a two-week stay on a little island 90 miles north of Haiti (where a friend has a house) and two days later I am scheduled to take all appropriate materials to the zoning office.

If you would like to see the landscape architect's plans, plants and all, and withhold judgment until then, please feel free to say so. I'll bring them around on March 2.

The Belgians and the Murphys will be receiving an identical letter except for this sentence.

Thank you for your time and trouble!

With best regards -

Everything looks fine
with the pool deck
with construction.
Alice Muth

LOT 13

3/1/88
Dear Alice,
Bury - I am hopeful
that all will go as planned
for your two decks. We
appreciate your sharing the
plans and look forward to
Saturday Evening Cocktails
at 6:00.
Sincerely,
Aileen & John
109 Charlesbrooke Rd.

88-475-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204Your petition has been received and accepted for filing this
3rd day of March, 1988.*J. Robert Haines*
J. ROBERT HAINES
ZONING COMMISSIONERReceived by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee
Petitioner: Alice W. Muth
Petitioner's
Attorney: _____CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, MarylandDistrict: 9th Date of Posting: May 13, 1988
Posted for: Variance
Petitioner: Alice W. Muth
Location of property: SW/S Charlesbrooke Road, 262' W. of Erwood
Court (109 Charlesbrooke Road)
Location of Signs: In front of 109 Charlesbrooke Road
Remarks: _____
Number of Signs: 1
Date of return: May 26, 1988
MICROFILMED by P.J. Arata

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 22, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

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MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
DevelopmentMs. Alice W. Muth
109 Charlesbrooke Road
Towson, Maryland 21204RE: Item No. 322 - Case No. 88-475-A
Petitioner: Alice W. Muth
Petition for Zoning Variance

Dear Ms. Muth:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer/de
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500Paul H. Reinke
Chief

March 11, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204Dennis F. Rasmussen
County Executive

Re: Property Owner: Alice W. Muth

Location: SW/S Charlesbrooke Rd., 262' W. of Erwood Ct.

Item No.: 322

Zoning Agenda: Meeting of 3/15/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. James Kelly* 3-11-88
Planning Group
Special Inspection Division

Noted and

Approved: *John F. McNeill*

Fire Prevention Bureau

/j1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: April 13, 1988

FROM: P. David Fields
Director of Planning and Zoning
Zoning Petition Nos. 88-465-SpHA,
88-466-SpH, 88-468-SpHXA, 88-470-A,
SUBJECT: 88-472-A, 88-473-A, 88-475-A, 88-476-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
FileRECEIVED
APR 15 1988

ZONING OFFICE

cc: Alice W. Muth

CPS-008 41858/11